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New York, NY 10022

EXAMINER

PATEL, HARESH N

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

43

Office Action Summary

Application No.

09/736,953

Applicant(s)

NATARAJAN ET AL.

Examiner

Haresh Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 13-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/28/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20 are presented for examination. Claims 13-20 are withdrawn (office action 9/28/2004).

Response to Arguments

2. Applicant's arguments filed 3/28/2005 have been fully considered but they are not persuasive. Therefore, rejection of claims 1-12 is maintained.

Applicant argues (1), "the cited references do not disclose, teach, or suggest the applicant's claimed limitations, i.e., selecting a protocol are generated when the object on the server is invoked by the client which means that a new selection of protocol is made for each communication session". The examiner respectfully disagrees in response to applicant's arguments. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies, "selecting a protocol are generated when the object on the server is invoked by the client which means that a new selection of protocol is made for each communication session", are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). What is claimed is, "generating bid values for one or more protocols among the plurality of protocols identified by the object-handle upon invoking on the second computer the object located on the first computer for each of said one or more communication sessions (broadly interpreted as a single session)". Please refer to the below rejections of this office action to the amended claimed limitations containing newly presented

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limitations. Since, applicant's claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of the claimed subject matter. Therefore, the rejection is maintained.

Applicant argues (2), “cited reference, i.e., Kukura et al. 6,633,923 (Hereinafter Kukura) does not disclose or teach applicant’s claimed limitations, i.e., selecting among several transports in a profile, when confronted with a new communication session”. The examiner respectfully disagrees in response to applicant's arguments. In response to applicant's argument that the references fail to show certain features of applicant’s invention, it is noted that the features upon which applicant relies, “selecting among several transports in a profile, when confronted with a new communication session”, are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). What is claimed is, “selecting one or more protocols among the plurality of protocols”. Kukura discloses limitations, selecting one or more protocols among the plurality of protocols (e.g., col., 1, line 53 – col., 2, line 8). The limitations, including “session” has been newly presented. Please refer to the below rejections of this office action to the amended claimed limitations containing newly presented limitations. Since, applicant's claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of the claimed subject matter. Therefore, the rejection is maintained.

Applicant argues (3), “cited reference, i.e., Kukura does not disclose or teach limitations, i.e., generating bid values for one or more protocols among the plurality of protocols identified, arranging the bid values, and parsing the arranged bids”. The examiner respectfully disagrees in

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response to applicant's arguments. Kukura discloses the limitations, generating bid values (e.g., col., 49, line 43 – col., 50, line 58) for one or more protocols among the plurality of protocols identified (e.g., col., 49, line 43 – col., 50, line 58), arranging the bid values (e.g., col., 54, line 10 – col., 55, line 54), and parsing the arranged bids (e.g., col., 28, lines 36 – 62)". Also, page 8, lines 12 – 15, of the specification, clearly states, "While the invention has been particularly shown and described with reference to a preferred embodiment thereof, it will be understood by those skilled in the art that various changes in form and details may be made therein without departing from the spirit and scope of the invention". Since, applicant's claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of the claimed subject matter. Therefore, the rejection is maintained.

Election/Restrictions

3. Applicant's election with traverse of Group I invention (claims 1-12) in the reply filed on 3/28/2005 is acknowledged. The examiner respectfully disagrees in response to applicant's argument that, "profiles represent protocols and predefined represent priority", because the specification, page 5, lines 2-20, clearly state, "a profile contain one or more components, and components are typically communication processes that perform on top of or in conjunction with a protocol, wherein the proxy server is indicated as a component of the profile and the IIOP as the specified protocol". Predefined is something that is already defined, versus priority is something that not necessarily defined earlier. Further the restricted claims deal with portfolio, incorporating user setting in the client configuration, structure connecting the server and the client, user preferences for communication channel characteristics, target object constraints,

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privileges to use certain communications channels, client middleware infrastructure's, etc.,
Hence, examiner requests the applicant to cancel the claims 13-20 of the non-elected invention.

Specification

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The present title is not sufficient for proper classification of the claimed subject matter.

The following title is suggested: "Protocol selection among object-handled specified protocols".

Response to Amendment

5. The amendment filed 3/28/2005 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

a. addition of limitations, "sessions", in claim 1,

Applicant is required to cancel the new matter, to avoid abandonment of this application, in the reply to this Office Action.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it

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pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art to use and/or make the invention.

7. The specification does not contain subject matter to implement limitations, “sessions”, as cited in claim 1. Also, page 5, lines 2-6, clearly states, “Referring to Figures 1 and 2, during the course of processing of an application at a client 10, the need arises to evoke a specific object 20 remotely located at the server 12”, which not same as the claimed limitations.

Examiner has reviewed the specification (OCR whole document) and could not find support for the additional limitations as claimed.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

8. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitations, “the first computer”, “the second computer”, “the object”, “the relative preference among the protocols”, “the highest preference”. There is insufficient antecedent basis for this limitation in the claim. For example, the limitations, “two computers” should be “two computers comprising/consisting a first computer and a second computer”. Also it is not apparent which computer is a first computer and which computer is a second computer.

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Since, multiple “objects” (first computer has an object, an second computer has an object-handle) and “protocols” (one or more protocols, a plurality of protocols) exist in the claim, it is not clear which “object” and “protocol” is referred by the limitations in the claim.

Claims 2, 3 recite the limitations, “the protocol”. There is insufficient antecedent basis for this limitation in the claim. Since, multiple “protocols” (a protocol that is the highest preference, one protocol from among a plurality of protocols) exist in the claim, it is not clear which “protocol” is referred by the limitations in the claim.

Claim 4, recites the limitations, “the protocol”, “the property” “the bid value”. There is insufficient antecedent basis for this limitation in the claim. Since, multiple “protocols” (a protocol that is the highest preference, one protocol from among a plurality of protocols), multiple “bid values” (generating bid values) and multiple property (at least one property) exist in the claim, it is not clear which “protocol” “bid value” and “property” is referred by the limitations in the claim.

Claim 5, recites the limitations, “the property”. There is insufficient antecedent basis for this limitation in the claim. Since, multiple property (at least one property) exist in the claim, it is not clear which “property” is referred by the limitations in the claim.

Claim 6, recites the limitations, “the step of determining”. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kukura et al. 6,633,923 (Hereinafter Kukura) in view of Andrew Watson, CORBA, General Inter-ORB Protocol (GIOP) and derivatives, 01/24/2005, pages 1-9, (Hereinafter Andrew) and Reed et al., 5,862,325 (Hereinafter Reed).

11. As per claim 1, Kukura teaches a method for selecting one protocol from among a plurality of protocols to establish communication between two computers (e.g., col., 1, line 53 – col., 2, line 8), where the first computer has an object and the second computer has an object-handle associated with the object (e.g., col., 1, line 53 – col., 2, line 8), and where the object-handle identifies the plurality of protocols (e.g., col., 1, line 53 – col., 2, line 8), the method comprising the steps of:

generating bid values for one or more protocols among the plurality of protocols identified by the object-handle upon evoking on the second computer the object located on the first computer (e.g., col., 49, line 43 – col., 50, line 58),

dynamically arranging the bids bid values in a sequence corresponding to the their relative values so as to indicate the relative preference among the protocols (e.g., col., 54, line 10 – col., 55, line 54), and

parsing the arranged bid values to select a protocol that is the highest preference according to the sequence and is effective in establishing the communication (e.g., col., 28, lines 36 – 62).

However, Kukura does not specifically mention about invoking object using handle.

Andrew discloses the concept of invoking object using handle (e.g., lines 1-6, page 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kukura with the teachings of Andrew in order to facilitate invoking object using handle because the handle including reference information would support accessing the object. The invoked object would help process information for the system.

Kukura and Andrew do not specifically mention about establishing one or more communication sessions.

Reed discloses the concept of establishing one or more communication sessions (e.g., usage of naming service, metadata and browsing session, paragraph 278).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kukura and Andres with the teachings of Reed in order to facilitate establishing one or more communication sessions because the established session would help transfer information among two remote devices. The remote devices would be able to communicate with each other using the established session.

12. As per claim 2, Kukura, Andres and Reed disclose the claimed limitations as rejected above. Kukura also discloses the following:

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referencing a predefined configuration that is associated with the second computer (e.g., col., 51, line 34 – col., 52, line 21);

for each protocol among the plurality of protocols, determining whether the protocol qualifies according to the configuration (e.g., col., 52, line 34 – col., 53, line 21); and

when the protocol qualifies, setting a bid value for the protocol according to the configuration (e.g., col., 53, line 34 – col., 54, line 21).

13. As per claim 3, Kukura, Andres and Reed disclose the claimed limitations as rejected above. Kukura also discloses the following:

default value associated with a protocol, and the generating step further comprises the step of setting the bid value for the protocol equal to the default value on the condition that no other bid value for the protocol is determined (e.g., col., 51, line 34 – col., 52, line 54).

14. As per claim 4, Kukura, Andres and Reed disclose the claimed limitations as rejected above. Kukura also discloses the following:

the configuration includes at least one property relating to one or more protocols among the plurality of protocols (e.g., col., 54, lines 50 –66), wherein the each property has an enabled and disabled state (e.g., col., 54, lines 50 –66), and wherein the each property is associated with a bid range value(e.g., col., 53, lines 7 – 65), the method further comprising the steps of: a. referencing the property (e.g., col., 51, lines 35 – 65); and b. setting the bid valuefor the protocol relating to the property equal to a value within the bid range associated with the property when the property is in the enabled state (e.g., col., 54, lines 50 –66).

15. As per claim 5, Kukura, Andres and Reed disclose the claimed limitations as rejected above. Kukura also discloses the following:

setting the property to the enabled or the disabled state based on signals from a user operating the second computer (e.g., col., 54, lines 50 –66).

16. As per claim 6, Kukura, Andres and Reed disclose the claimed limitations as rejected above. Kukura also discloses the following:

the arranging step further comprises the step of determining that one of the bid values with a lowest value bid is the most preferred and one of the bid values with a highest value bid is the least preferred (e.g., col., 8, line 57 – col., 9, line 28).

17. As per claim 7, Kukura, Andres and Reed disclose the claimed limitations as rejected above. Kukura also discloses the following:

the sequence of the bid values is ascending order (e.g., col., 8, line 57 – col., 9, line 28).

18. As per claim 8, Kukura, Andres and Reed disclose the claimed limitations as rejected above. Kukura also discloses the following:

referencing a predefined configuration that is associated with the second computer (e.g., col., 51, line 34 – col., 56, line 21); and setting a bid equal to a value within one of a plurality of prescribed ranges according to predefined rules in the configuration (e.g., col., 51, line 34 – col., 56, line 21).

19. As per claim 9, Kukura, Andres and Reed disclose the claimed limitations as rejected above. Kukura also discloses the following:

the configuration includes a priority list (e.g., col., 7, lines 1-15), and the generating step further comprising the step of adjusting the bid values within a single range according to the priority list specified in the configuration (e.g., col., 7, lines 19 – 36).

20. As per claim 10, Kukura, Andres and Reed disclose the claimed limitations as rejected above. Kukura also discloses the following:

determining one or more conditions associated with the plurality of prescribed ranges such that the bid values within each of the plurality prescribed ranges are parsed when the associated conditions are satisfied (e.g., col., 28, lines 36 – 62).

21. As per claim 11, Kukura, Andres and Reed disclose the claimed limitations as rejected above. Kukura also discloses the following:

the ranges include an exclusivity range with an associated condition that if there is at least one bid within the exclusivity range (e.g., col., 28, lines 36 – 62), the bid values within ranges having lower preference than exclusivity range are not parsed (e.g., col., 39, lines 16 – 67).

22. As per claim 12, Kukura, Andres and Reed disclose the claimed limitations as rejected above. Kukura also discloses the following:

the ranges include a critical range with an associated condition such that the bid values within the critical range are parsed before the bid values in the ranges other than the critical range are parsed (e.g., col., 26, line 43 – col., 27, line 42).

23. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goertzel et al. 6,208,952 (Hereinafter Goertzel) in view of Andrew and Reed.

24. As per claim 1, Goertzel teaches the following:

a method for selecting one protocol from among a plurality of protocols to establish communication between two computers (e.g., col., 7, line 35 – col., 8, line 33), where the first computer has an object and the second computer has an object-handle associated with the, object, (e.g., col., 7, line 35 – col., 8, line 33);and where the object-handle identifies the plurality of protocols (e.g., col., 7, line 35 – col., 8, line 33), the method comprising the steps of:

generating bid values for one or more protocols among the plurality of protocols identified by the object-handle upon evoking on the second computer the object located on the first computer (e.g., col., 7, line 35 – col., 8, line 33);

dynamically arranging the bids bid values in a sequence corresponding to their relative values so as to indicate the relative preference among the protocols (e.g., col., 7, line 35 – col., 8, line 33), and

parsing the arranged bid values to select a protocol that is the highest preference according to the sequence and is effective in establishing the communication (e.g., col., 7, line 35 – col., 8, line 33).

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However, Goertzel does not specifically mention about invoking object using handle.

Andrew discloses the concept of invoking object using handle (e.g., lines 1-6, page 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Goertzel with the teachings of Andrew in order to facilitate invoking object using handle because the handle including reference information would support accessing the object. The invoked object would help process information for the system.

Goertzel and Andrew do not specifically mention about establishing one or more communication sessions.

Reed discloses the concept of establishing one or more communication sessions (e.g., usage of naming service, metadata and browsing session, paragraph 278).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Goertzel and Andres with the teachings of Reed in order to facilitate establishing one or more communication sessions because the established session would help transfer information among two remote devices. The remote devices would be able to communicate with each other using the established session.

25. As per claim 2, Goertzel, Andres and Reed disclose the claimed limitations as rejected above. Goertzel also discloses the following:

referencing a predefined configuration that is associated with the second computer (e.g., col., 7, line 35 – col., 8, line 33),

for each protocol among the plurality of protocols, determining whether the protocol qualifies according to the configuration (e.g., col., 7, line 35 – col., 8, line 33); and

when the protocol qualifies, setting a bid value for the protocol according to the configuration (e.g., col., 7, line 35 – col., 8, line 33).

26. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goertzel, Andres and Reed in view of Underwood 6,601,233.

27. As per claims 3-5, Goertzel, Andres and Reed disclose the claimed limitations as rejected above. Goertzel also discloses the configuration includes a default value associated with a protocol, and setting the bid for the protocol equal to the default value on the condition that no other bid value for the protocol is determined (e.g., col., 7, line 35 – col., 8, line 33).

Goertzel, Andres and Reed do not specifically mention about a default protocol settings and the detailed protocol related settings. However, Underwood, discloses the following:

the configuration includes a property relating to a protocol , wherein each property has an enabled and disabled state, and wherein each property is associated with a bid range, referencing a property; and setting the bid value for the protocol relating to the property equal to a bid value within the bid range associated with the property when the property is in the enabled state, the one or more properties to the enabled or the disabled state based on signals from a user operating the second computer (e.g., col., 28, line 26 – col., 72, line 40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Goertzel, Andres and Reed and Underwood in order to facilitate a default protocol settings and the detailed protocol related settings because Underwood's use of graphical user interface windows would help setting the protocol property selections. The default protocol property values and user selection of protocol details would

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allow one computer to communicate with another computer using the most reliable protocol from the specified object supported protocols.

1. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goertzel, Andres and Reed et al. in view of “Official Notice”.

2. As per claims 6 and 7, Goertzel, Andres and Reed discloses the claimed limitations as rejected above. Goertzel also discloses the invention substantially as claimed including:

the arranging step is determined by the value of the bids (e.g., col., 7, line 35 – col., 8, line 33).

Goertzel, Andres and Reed do not specifically mention about lowest value bid is the most preferred. “Official Notice” is taken that both the concept and advantages of providing setting the orders of bidding such that the lowest value bid is the most preferred, the highest value bid is the least preferred and parsing in ascending order is well known and expected in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include desired bidding order with the teachings of Goertzel, Andres and Reed in order to facilitate desired bidding order because it would provide a selection of the protocol based on its bid value and the order in which the protocol is listed. The protocol having bid value lesser than other protocols will be selected first. If two protocols will have same bid values than the protocol having the ascending bid value will be selected first.

3. Claims 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goertzel, Andres and Reed in view of Jerger et al. 6,345,361 (Hereinafter Jerger).

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4. As per claims 8-12, Goertzel, Andres and Reed disclose the claimed limitations as rejected above. Goertzel also discloses referencing a predefined configuration that is associated with the second computer; and setting the bid equal to a value according to the predefined rules in configuration (e.g., col., 7, line 35 – col., 8, line 33).

Goertzel, Andres and Reed do not specifically mention about protocol settings selected from plurality of ranges and the detailed protocol related settings.

However, Jerger, discloses plurality of prescribed ranges for bid value, a priority list, adjusting the bid values within a single range according to the priority list specified in the configuration, one or more conditions associated with the plurality of prescribed ranges such that the bid values within each of the plurality prescribed ranges are parsed when the associated conditions are satisfied, (e.g., col., 11, lines 8 – 12),

the ranges include an exclusivity range with an associated condition that if there is at least one bid within the exclusivity range (e.g., protected permissions settings, col., 10, line 3 – col., 11, line 25), the bid values within ranges having lower preference than exclusivity range are not parsed (e.g., protected permissions settings, col., 10, line 3 – col., 11, line 25), the ranges include a critical range with an associated condition such that the bid values within the critical range are parsed before the bid values in the ranges other than the critical range are parsed (e.g., the settings that are not modifiable by the user, col., 10, line 3 – col., 11, line 25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Goertzel, Andres and Reed and Jerger in order to facilitate protocol settings selected from plurality of ranges and the detailed protocol related settings because Jerger's use of graphical user interface windows would help setting the protocol

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property selections. The user selection of protocol details from several associated ranges would allow one computer to communicate with another computer using the most reliable protocol from the specified supported protocols.

Conclusion

5. The prior art made of record (forms PTO-892 and applicant provided IDS cited arts) and not relied upon is considered pertinent to applicant's disclosure. For example, Balog et al., 2002/0022453 deals with dynamic protocol selection. Engstrom et al., 2003/0214943 deals with protocols transparently used in communication over network. Scharber, 6,542,964, also deals with dynamic protocol selection. Kukura et al., 6,633,923, also deals with IOR Profile, invoking object using handle and sessions. Reed et al., 5,862,325, also deals with well-known concept of name services with name service objects. The IDS art, Common Object Request Broker, October 2000, version 2.4, contains the concept of bidding, arranging and parsing protocols.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel

August 21, 2005

 **JOHN FOLLANSBEE**
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100